

City Council Agenda

Amended

Council President
Lee Brand

Councilmembers

Oliver L. Baines III
Andreas Borgeas
Clinton J. Olivier - Acting President

Sal Quintero
Larry Westerlund
Blong Xiong

City Manager
Mark Scott

City Clerk
Rebecca E. Klisch, CMC

City Attorney
James C. Sanchez

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

The City Council welcomes you to the Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno CA 93721.

Amended

May 12, 2011

9:00 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Proclamation of "FRESNO STATE NATIONAL COLLEGIATE CHAMPION BOWLING TEAM DAY" – Mayor's Office and All Councilmembers – **Read and presented**

Proclamation of "TEEN PREGNANCY PREVENTION MONTH" – Councilmembers Baines and Xiong – **Read and presented**

Proclamation of "ST. BALDRICK'S DAY" - Council President Brand – **Read and presented**

Proclamation of "CARES ENOUGH TO WEAR PINK DAYS" – Mayor's Office and All Councilmembers – **Read and presented**

Presentation of a Letter of Commendation to Leadership Fresno Class 27 for its Community Garden Service Project – Mayor's Office - **Presented**

Proclamation of "PETE ROCCO DAY" - 50 YEARS OF CITY SERVICE – City Manager's Office – **Read and presented**

Presentation of P.R.I.D.E. Team Certificates Ceremony (*Reception immediately following – 2nd floor foyer*) - **Presented**

May 12, 2011

***SUBJECT TO MAYOR'S VETO OR RECONSIDERATION
AND MAY BE AMENDED AT ANYTIME**

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PROCESS: For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve Council minutes of May 5, 2011

Action Taken: Approved

Councilmember Reports and Comments

Action Taken: Made

Approve Agenda

Action Taken: Approved, as amended

Adopt Consent Calendar

Action Taken: Adopted

1. **CONSENT CALENDAR**

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered.

- A. Approve a one-year agreement with Cary Park Little League for the Cary Park youth baseball fields and the adoption of the park (*Property located in District 4*) – PARCS

Action Taken: Approved

- B. Adopt a Finding of Categorical Exemption pursuant to Article 19, Section 15301 Class 1 (existing facilities), and 15325 Class 25 (transfer of interest in land to preserve open space) of the California Environmental Quality Act Guidelines for a Cooperative Agreement between the City of Fresno and KB Resale Properties and KB Home South Bay (*Property located in District 5*) – PARCS Department

Action Taken: Adopted

1. Approve (1) a Cooperative Agreement between the City of Fresno and KB Resale Properties and KB Home South Bay; (2) the Conditional Release of a Statement of Covenants Affecting Land Development for Temporary Storm Drainage Facilities for Tract No. 5235; (3) the Conditional Release of a Statement of Covenants Affecting Land Development for Landscaping and Maintaining an Off-Site Open Space Facility for Tract No. 5235; and (4) authorize the Assistant City Manager or his designees to sign all required documents, including the Cooperation Agreement and Covenant releases on behalf of the City of Fresno

Action Taken: Approved

1. **CONSENT CALENDAR CONTINUED**

- C. Adopt a Finding of Categorical Exemption pursuant to Article 19, Section 15301 Class 1 (existing facilities) and Section 15332 Class 32 (in-fill development project) of the California Environmental Quality Act Guidelines for an acquisition of vacant single family home located at 386 N. Park Ave, Fresno CA 93701
Action Taken: Adopted
1. Approve the purchase of a vacant single-family home located at 386 N. Park Ave, Fresno, CA, 93701 (APN: 459-144-24) from Ralph and Janet Hovannisian, in the amount of \$69,900 in HOME program funds, and authorize execution of the purchase and sale agreement (**Property located in District 3**) – Development and Resource Mgmt. Department
Action Taken: Approved
- D. Approve a time extension to the Community Development Block Grant – ARRA agreement between the City of Fresno and Fund Inc. for the rehabilitation of homes in the Lowell Neighborhood from December 30, 2010 to September 15, 2011 (**Property located in District 3**) – Development and Resource Mgmt. Dept.
Action Taken: Approved
- E. **RESOLUTION** - Authorizing the annual filing of applications for, acceptance of, and execution of all documents and instruments related to State transportation assistance authorized by Proposition 1B, SB 88, and other State law administered by the California Emergency Management Agency or the California Department of Transportation – Transportation Dept.
Action Taken: Resolution No. 2011-87 adopted
- F. **RESOLUTION** - Of intention to annex a portion of Final Tract No. 5838, Annexation No. 43, to City of Fresno Community Facilities District No. 11 (CFD No. 11) (**Property located in District 6**) (**north side of Copper River Dr. between Cedar and Maple Avenues**); and setting the hearing for 6/16/2011 at 10:00 A.M. – Public Works Dept.
Action Taken: Removed/to be rescheduled

CONTESTED CONSENT CALENDAR

SCHEDULED COUNCIL HEARINGS AND MATTERS

9:00 A.M. **GENERAL ADMINISTRATION**

- A. Authorize amendment of consultant agreements with HF&H Consultants LLC, relating to the roll-off collection franchise system and various other Solid Waste transfer station and landfill programs and negotiations, not to exceed a total of \$100,000, and execution of documents – Dept. of Public Utilities
Action Taken: – Read and presented

9:15 A.M. **CITY COUNCIL**

- A. **RESOLUTION** – Authorizing the limited use of standard golf carts on the internal roadways of the Copper River Ranch development (surrounding or proximate to the Copper River Country Club) in addition to the use of Neighborhood Electric Vehicles (NEV) already permitted as low speed vehicles (LSV) pursuant to California Vehicle Code Section 21115 (**Property located in District 6**) – Council President Brand
Action Taken: Resolution No. 2011-88 adopted

10:00 A.M. **CONTINUED HEARING** to adopt a resolution approving the reversion to acreage of Final Map of Tract No. 4983, Lots 1 through 53 inclusive (**Property located at the northeast corner of Cornelia Avenue and Dakota Avenue in District 1**) – Public Works Dept.
Action Taken: Held

- a. **RESOLUTION** - Approving the reversion to acreage of Final Map of Tract No. 4983, Lots 1 through 53 inclusive
Action Taken: Resolution No. 2011-89 adopted

10:15 A.M.

REGULAR MEETING OF THE FRESNO REDEVELOPMENT AGENCY

Approve Agency minutes of May 5, 2011

Action Taken: Laid over

- A. Consider approval of the following actions relating to the proposed rehabilitation of 129 N. College Avenue, Fresno, CA 93701 (APN 459-311-10) in the Freeway-99 Golden State Corridor Redevelopment Project Area:
1. Adopt a finding of a Categorical Exemption per staff determination, pursuant to Section 15301 Class 1 of the CEQA Guidelines, for the rehabilitation of a single-family home located at 129 N. College Avenue, Fresno, CA 93701 **(Agency action)**
 2. Recommend approval of a joint agreement between the Redevelopment Agency of the City of Fresno and the State Center Community College District for participation in a reconstruction program for the rehabilitation of 129 N. College Avenue, Fresno, CA 93701 **(Agency action)**
 3. Recommend approval of a services agreement between the Redevelopment Agency of the City of Fresno and The Coalition for Urban Renewal Excellence (CURE) for construction contracting/consulting services related to a housing reconstruction program with Fresno City College involving the rehabilitation of 129 N. College Avenue, Fresno, CA 93701 **(Agency action)**
- Action Taken:** Removed from the agenda/to be rescheduled

ADJOURN AGENCY

CLOSED SESSION

- A. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – Government Code Section 54956.9, Subdivision (a)
1. **Case Name:** City of Fresno v. County of Fresno, Board of Supervisors of County of Fresno, Bigelow Silkwood Friant Ranch LP, et seq.
Action Taken: Held

PLEASE NOTE: SCHEDULED AND UNSCHEDULED COMMUNICATIONS ARE NOT TIMED AND MAY BE HEARD ANY TIME DURING THE MEETING

SCHEDULED COMMUNICATION –

UNSCHEDULED COMMUNICATION – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk's Office at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda.

SCHEDULED COUNCIL HEARINGS AND MATTERS

May 19 -	MEETING -	9:00 A.M. - ROLL CALL
May 19 -	10:00 A.M.	Mayor's presentation of the fiscal year 2011-2012 Budget
May 19 -	10:45 A.M.	HEARING re: Plan Amendment Application No. A-11-01, Rezone Application No. R-11-01, filed by Joe Guagliardo, of Comprehensive Planning Associates, on behalf of the U.S. Postal Service (Property owner)
May 19 -	1:30 P.M.	TEFRA HEARING to consider information concerning the proposed issuance of revenue bonds by the California Statewide Communities Development Authority to finance the acquisition and rehabilitation of a 60-unit multifamily low income residential rental project, commonly known as Pleasant View Apartments
May 26 -	10:00 A.M.	HEARING re: CFD No. 11, Annexation No. 42, Tract No. 5977 (<i>Property located in District 6</i>)
June 2 -	NO MEETING - MEMORIAL DAY	
June 9 -	MEETING	8:30 A.M.
June 16 -	10:00 A.M.	HEARING re: CFD No. 11, Annexation 43, Tract No. 5838